

§ 51.2646

**Subpart—United States Standards
for Grades for Sweet Cherries ¹**

SOURCE: 36 FR 8502, May 7, 1971, unless otherwise noted. Redesignated at 42 FR 32514, June 27, 1977, and further redesignated at 46 FR 63203, Dec. 31, 1981.

GRADES

§ 51.2646 U.S. No. 1.

“U.S. No. 1” consists of sweet cherries which meet the following requirements:

- (a) Similar varietal characteristics;
- (b) Mature;
- (c) Fairly well colored;
- (d) Well formed; and
- (e) Clean.
- (f) Free from:
 - (1) Decay;
 - (2) Insect larvae or holes caused by them;
 - (3) Soft, overripe or shriveled;
 - (4) Undeveloped doubles; and,
 - (5) Sunscald.
- (g) Free from damage by any other cause. (See § 51.2655.)
- (h) *Size*. Unless otherwise specified, the minimum diameter of each cherry shall be not less than three-fourths inch. The maximum diameter of the cherries in any lot may be specified in accordance with the facts.
- (i) For tolerances see § 51.2648.

§ 51.2647 U.S. Commercial.

“U.S. Commercial” consists of sweet cherries which meet the requirements for the U.S. No. 1 grade except for minimum diameter and except for increased tolerances.

- (a) *Size*. Unless otherwise specified, the diameter of each cherry shall be not less than five-eighths inch. The maximum diameter of the cherries in any lot may be specified in accordance with the facts.
- (b) For tolerances see § 51.2648.

¹Packing of the product in conformity with the requirements of these standards shall not excuse failure to comply with the provisions of the Federal Food, Drug and Cosmetic Act or with applicable State laws and regulations.

7 CFR Ch. I (1–1–06 Edition)

TOLERANCES

§ 51.2648 Tolerances.

In order to allow for variations incident to proper grading and handling in each of the foregoing grades, the following tolerances, by count, are provided as specified:

(a) *For defects at shipping point*²—(1) *U.S. No. 1*. 8 percent for cherries which fail to meet the requirements for this grade: *Provided*, That included in this amount not more than 4 percent shall be allowed for defects causing serious damage, including in this latter amount not more than one-half of 1 percent for cherries which are affected by decay.

(2) *U.S. Commercial*. 16 percent for cherries which fail to meet the requirements for this grade: *Provided*, That included in this amount not more than 4 percent shall be allowed for defects causing serious damage, including in this latter amount not more than one-half of 1 percent for cherries affected by decay.

(b) *For defects en route or at destination*—(1) *U.S. No. 1*. 12 percent for cherries in any lot which fail to meet the requirements for this grade: *Provided*, That included in this amount not more than the following percentages shall be allowed for defects listed:

(i) 8 percent for cherries which fail to meet the requirements for this grade because of permanent defects; or,

(ii) 6 percent for cherries which are seriously damaged, including therein not more than 4 percent for cherries which are seriously damaged by permanent defects and not more than 2 percent for cherries which are affected by decay.

(2) *U.S. Commercial*. 24 percent for cherries in any lot which fail to meet the requirements for this grade: *Provided*, That included in this amount not more than the following percentages shall be allowed for defects listed:

²Shipping point, as used in these standards, means the point of origin of the shipment in the producing area or at port of loading for ship stores or overseas shipment, or, in the case of shipments from outside the continental United States, the port of entry into the United States.